

Attorney Docket No.: 046601-5121
Application No.: 10/682,072
Page No.: 2

IN THE DRAWINGS:

A replacement sheet for FIG 5 A-J is submitted.

REMARKS

Summary of the Office Action

Drawings stand objected to, Figure 5 should be designated by a legend as Prior Art.

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,161,924 to *Mitani et al.*

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of U.S. Patent 5,736,995 to *Bohorquez et al.*

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of U.S. Patent 6,079,819 to *Deshpande et al.*

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of *Deshpande et al* in further view of U.S. Patent 6,203,142 to *Inui et al.*

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of *Deshpande et al* in further view of U.S. Patent 5,988,798 to *Hirasawa et al.*

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of *Deshpande et al* in further view of *Inui et al* in further view of U.S. Patent 6,139,131 to *Prasad et al.*

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of *Prasad et al.*

Summary of the Response to the Office Action

Replacement sheet for FIG 5 A-J is submitted with Prior Art label.

Claims 1-11 are presently pending.

Independent claims 1 and 11 have been amended.

The Rejections under 102 and 103

Independent claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,161,924 to *Mitani et al.* Independent claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mitani et al* in view of U.S. Patent 6,139,131 to *Prasad et al.*

Applicants respectfully traverse these rejections for at least the following reasons.

While Applicants do not concede to the comments of the Office Action, Applicants have amended independent claims 1 and 11. Support for the amended portion of claims 1 and 11 can be found in the Applicant's specification on page 14, lines 7-14.

With respect to the rejections of independent claims 1 and 11, as amended, Applicants respectfully submit that *Mitani et al* and *Prasad et al*, whether taken singly or combined, do not teach or suggest each and every feature of the independent claims 1 and 11, as amended.

Applicants respectfully assert that *Mitani et al* and *Prasad et al*, whether taken singly or combined, do not disclose a combination having bubbles formed in the plurality of individual flow channels being connected to atmospheric air through the plurality of nozzles, as originally claimed. While the Office Action asserts that *Mitani et al* discloses "the bubbles formed in the plurality of individual flow channels being connected to the atmospheric air through the plurality of nozzles" (*Mitani et al*, col. 3, ll. 27-50), *Mitani et al* only discloses a nozzle connecting the ink chamber "with atmosphere" (*Mitani et al*, col. 3, ll. 34-35). None of the cited references remedy the deficiencies of *Mitani et al* and *Prasad et al*.

Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn because *Mitani et al* and *Prasad et al*, whether taken singly or combined, do not teach or suggest each and every feature of the independent claims 1 and 11, as amended. Furthermore, Applicants respectfully assert that dependent claims 2-10 are allowable at least because of their dependence from independent claim 1 and the reasons set forth above.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

Dated: 10/12/05

MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel.: 202.739.3000
Fax: 202.739.3001